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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, APRIL 11, 2002

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

Ex Parte: Kentucky Utilities
Company d/b/a Old Dominion
Power Company; Regional
Transmission Entities

CASE NO. PUE-2000-00569

ORDER REESTABLISHING PROCEDURAL SCHEDULE

On September 26, 2001, the State Corporation Commission ("Commission") suspended the procedural schedule in Kentucky Utilities Company's d/b/a Old Dominion Power Company ("ODP's") application ("Application") to transfer operational control of its transmission assets to the Midwest Independent System Operator ("MISO").¹ The procedural schedule was suspended to provide additional time for further development of outstanding issues² and for full consideration of the impact of those issues by the Commission Staff. The Commission's order suspending the procedural schedule was issued after the time period provided

¹ The Commission established a procedural schedule in this proceeding in its Order Prescribing Notice and Inviting Comments and/or Requests for Hearing issued May 31, 2001 ("Order"). Pursuant to the Order, interested persons were to submit comments or requests for hearing on or before July 27, 2001. No comments or requests for hearing were filed.

² These issues included pending Federal Energy Regulatory Commission ("FERC") approval of MISO and the development and implementation of certain matters associated with the Interregional Coordination Agreement between MISO and other transmission entities.

for interested persons to file comments and/or requests for hearing had passed.³

Since that time, many of the outstanding issues germane to ODP's Application to transfer its transmission assets to the MISO have been more fully developed making this the appropriate time to establish a fresh procedural schedule. Among other developments, the FERC issued an Order on December 20, 2001, approving the MISO as an RTO.⁴ Additionally, the MISO began actual operation on February 1, 2002. The Commission Staff has also advised that the formation of MISO has progressed and that the Staff can now proceed to investigate and more fully comment on ODP's application and the formation, structure, governance and implementation of MISO.

The Company's Application has been on file with the Commission since October 16, 2000. The Company supplemented its Application on January 23, 2001, by filing with the Commission a copy of its Notice of Withdrawal from the MISO, which it had filed with the FERC. On April 10, 2002, the Company filed a letter with the Commission indicating that a settlement that was

³ The Order directed the Staff to investigate the Company's Application and file a report on or before August 31, 2001. The Staff did not file a report, but on September 20, 2001, filed a motion requesting a temporary suspension of the procedural schedule.

⁴ See, Midwest Independent Transmission System Operator, Inc., Order Granting RTO Status and Accepting Supplemental Filings, Docket Nos. RT01-87-000, RT01-87-001, ER02-106-000, ER02-108-000, 97 FERC ¶ 61,326, (December 20, 2001).

certified to the FERC had been reached among interested parties regarding the withdrawal of certain members from the MISO, and that the settlement nullified ODP's Notice of Withdrawal. In its letter, the Company requested the Commission to continue its review of its Application. ODP has not otherwise supplemented the information included in its Application.

Since the Application was filed, several developments may have affected the accuracy or completeness of some of the information included in the Company's Application. Thus, the Commission believes that in order to conduct a proper review, it is appropriate for the Company to update all of the information included in its Application.

NOW UPON CONSIDERATION of the foregoing, the Commission is of the opinion and finds that the Company shall file detailed information about any further developments relevant to its Application; and that the Staff shall investigate the Application and the updated information, and shall file a Report.

Accordingly, IT IS ORDERED THAT:

(1) On or before April 26, 2002, the Company shall file any and all information necessary to update the information in its Application including detailed information about further developments relevant to its Application;

(2) On or before May 24, 2002, the Commission Staff shall review the Application and shall file a report detailing the results of its investigation.

(3) On or before June 21, 2002, the Company and any interested person may file with the Clerk of the Commission any response to Staff's report.